

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 4:06CR64-P-B

TIM LOCKETT,

DEFENDANT.

ORDER CONTINUING TRIAL

This matter comes before the court upon Defendant's Motion for Continuance of Trial [11-1]. Upon due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for June 19, 2006. Defense counsel avers that he has just recently been assigned to this case and that he needs additional time in which to receive and review discovery. The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(8)(A), the period of delay from June 19, 2006 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant's counsel more time to adequately prepare for his client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS THEREFORE ORDERED AND ADJUDGED that:

- (1) Defendant's Motion for Continuance of Trial [11-1] is hereby **GRANTED**;
- (2) Trial of this matter is continued until Monday, July 24, 2006 at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;
- (3) The delay from June 19, 2006 to July 24, 2006 is excluded from Speedy Trial Act

considerations as set out above;

(4) The deadline for filing pretrial motions is July 3, 2006; and

(5) The deadline for submitting a plea agreement is July 10, 2006.

SO ORDERED, this the 25th day of April, A.D., 2006.

/s/ W. Allen Pepper, Jr. _____
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE